

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL E. WELLS,

Plaintiff,

-against-

NEW YORK STATE COURTS; NEW YORK
DEPT. OF CORRECTIONS,

Defendants.

19-CV-5399 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated October 25, 2019, the Court directed Plaintiff to file an amended complaint within sixty days. On December 4, 2019, the order was returned to the Court with a notation on the envelope indicating that Plaintiff is no longer held at that facility. Plaintiff has not complied with the Court's order, has failed to notify the Court of a change of mailing address, and has not initiated any further contact with the Court, written or otherwise. Accordingly, Plaintiff's complaint, filed *in forma pauperis* (IFP) pursuant to 28 U.S.C. § 1915(a)(1), is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 27, 2019
New York, New York



COLLEEN McMAHON
Chief United States District Judge